

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re	:	Chapter 11
	:	
W.R. Grace & Co., <i>et al.</i>	:	Case No. 01-01139 JKF
	:	
Debtors.	:	(Jointly Administered)

Objection Date: April 10, 2009, 4:00 p.m.
Hearing Date: April 27, 2009, 10:30 a.m.

**CERTAIN INSURERS' MOTION TO EXTEND TIME TO FILE
THE EXPERT WITNESS REPORT OF PROFESSOR GEORGE L. PRIEST**

Certain Insurers¹ hereby move this Court for an Order extending the deadline for filing the expert report of Professor George L. Priest, and in support thereof state as follows:

1. Certain Insurers have retained and designated Professor George L. Priest as an expert witness for the Confirmation Hearing.
2. Certain Insurers were advised Wednesday evening, March 11th, that Professor Priest had just been diagnosed with a serious medical condition requiring immediate attention, and that it would likely prevent him from completing his expert report by the March 16, 2009 deadline set by the Second Amended Case Management Order (Docket No. 20622).
3. Professor Priest has advised Certain Insurers that, barring further complications with his medical condition, he expects to return to work within a week.
4. By an e-mail message, dated March 12, 2009 (4:24 p.m.) Michael F. Brown, acting on behalf of Certain Insurers, advised counsel for the Plan Proponents, as well as other

¹ "Certain Insurers" include: Seaton Insurance Company, Government Employees Insurance Company, and Columbia Insurance Company f/k/a Republic Insurance Company; Arrowood Indemnity Company f/k/a Royal Indemnity Company; Continental Casualty Company, Transportation Insurance Company, and their American insurance affiliates; Federal Insurance Company; and Zurich Insurance Company, Zurich International (Bermuda) Ltd., and Maryland Casualty Company. Undersigned counsel has been authorized to sign and submit this motion on behalf of each and all of these Certain Insurers.

interested parties, that Professor Priest had a serious medical condition. In that e-mail, Certain Insurers requested the cooperation of the other interested parties, specifically that they agree to a 10-day extension of time for Professor Priest to complete his expert report. The e-mail also requested any party that had any objection to the requested 10-day extension to advise the Certain Insurers by March 13, 2009 at 4:00 p.m.

5. As of 4:00 p.m. today, Certain Insurers are aware of no objection to the requested relief sought in this Motion. In particular, counsel for the Debtors; the Official Committee of Asbestos Personal Injury Claimants; the Official Committee of Equity Security Holders; the Official Committee of Unsecured Creditors; the Asbestos PD Future Claimants' Representative; the Asbestos PI Future Claimants' Representative; the Libby Claimants; Kaneb Pipe Line Operating Partnership, L.P. and Support Terminal Services, Inc.; the London Market Insurance Companies; The Scotts Company LLC; and the State of Montana have each responded by e-mail to expressly confirm that they do not object to the relief requested in this Motion.

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WHEREFORE, Certain Insurers respectfully request that this Honorable Court grant Certain Insurers' Motion to Extend Time to File the Expert Witness Report of Professor George L. Priest and extend the deadline for filing Professor Priest's expert report until March 26, 2009.

Respectfully submitted,

Dated: March 13, 2009

/s/ David P. Primack
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- and -

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*As authorized by and on behalf of each and
all of Certain Insurers identified herein*